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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,440	03/10/2004	Barry C. Worrell	DP-309969	4511

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EXAMINER

SLITERIS, JOSELYNN Y

ART UNIT	PAPER NUMBER
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3616

DATE MAILED: 05/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/797,440

Applicant(s)

WORRELL ET AL.

Examiner

Joselynn Y. Sliteris

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 3-5, 9-11, 13-16 and 20-22 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 2 and 6 is/are allowed.
- 6) ☒ Claim(s) 17 is/are rejected.
- 7) ☒ Claim(s) 7, 8, 12, 18, 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03102004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species:

- A. an exemplary embodiment of the present invention according to Figs. 1-8;
- B. an alternative embodiment of the present invention according to Figs. 9-12;
- C. an alternative embodiment of the present invention according to Figs. 13-16;
- D. an alternative embodiment of the present invention according to Figs. 17, 18, 20, 21, 25 & 26A-27B;
- E. an alternative embodiment of the present invention according to Figs. 19 & 22-24;
- F. an alternative embodiment of the present invention according to Figs. 28-31; and
- G. an alternative embodiment of the present invention according to Figs. 32 & 33.

The species are independent or distinct because the embodiment of species A, Figs. 1-8, does not have the particulars of Figs. 13-16, which is the guide member 60.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 17 appears to be generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species.

MPEP § 809.02(a).

2. During a telephone conversation with Christopher Boehm (Reg. No. 41,624) on 4/10/06 a provisional election was made with traverse to prosecute the invention of species I, claims 1, 2, 6-8, 12, and 17-19. Affirmation of this election must be made by applicant in replying to this Office action. Claims 3-5, 9-11, 13-16, and 20-22 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 22. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The disclosure is objected to because of the following informalities: on page 3 line 30, "and method" should be deleted. Appropriate correction is required.

Claim Objections

6. Claims 7, 8, and 12 are objected to because of the following informalities: in claim 7 line 8, "maintains" should be --maintain--; in claim 12 line 2, "an" should be --and--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claim 17 is rejected under 35 U.S.C. 102(b) as being anticipated by Sauer et al. (WO 00/74980), as cited by applicant.

Regarding claim 17, Sauer discloses a steering wheel 1 and airbag module assembly 3 as in the present invention, comprising:

a steering wheel armature 30 having a lower mounting side and an upper mounting side (Fig. 7);

an airbag module 3 configured to be mounted to said upper mounting side;

a floating horn switch 8, 9 disposed between said steering wheel armature and said airbag module wherein application of a force to said airbag module causes said floating horn switch to close, said floating horn switch comprising an isolated ground 4, said isolated ground being electrically isolated (via 15) from said steering wheel armature.

9. Claim 17 is rejected under 35 U.S.C. 102(b) as being anticipated by Schutz et al. (US 2002/0074781).

Regarding claim 17, Schutz discloses a steering wheel 10, 12, 14, 16 and airbag module assembly 18 as in the present invention, comprising:

a steering wheel armature 10 having a lower mounting side and an upper

mounting side (Fig. 1);

an airbag module 18 configured to be mounted to said upper mounting side;

a floating horn switch 70 disposed between said steering wheel armature and said airbag module wherein application of a force to said airbag module causes said floating horn switch to close, said floating horn switch comprising an isolated ground 20, 10, said isolated ground being electrically isolated from said steering wheel armature.

Allowable Subject Matter

10. Claims 1, 2, and 6 are allowed.

11. Claims 7, 8, and 12 would be allowable if rewritten to overcome the objection(s) set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

12. Claims 18 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joselynn Y. Sliteris whose telephone number is 571-

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272-6675. The examiner can normally be reached on Mon, Thurs & Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Joselynn Y. Sliteris 5/12/06
Patent Examiner
Art Unit 3616

JYS
5/12/06


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